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Attorneys for Defendants, CITY OF BURBANK,  
6 MANUEL MALDONADO, RASHAAD COLEMAN,  
NEIL GUNN, DAVID MEJIA,  
7 and SAM ANDERSON

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11 LURING PAIALII,  
12 Plaintiff,  
13 v.

14 CITY OF BURBANK; MANUEL  
MALDONADO; RASHAAD  
15 COLEMAN; N. GUNN; D. MEJIA; S.  
ANDERSON; and DOES 1 through 10,  
16 inclusive,

17 Defendants.

) Case No.: 2:24-cv-08890-CAS-PVC

) Assigned to the Hon. Christina A.  
Snyder  
) Courtroom 8D, 8<sup>th</sup> Floor

) **DEFENDANTS' REQUEST FOR  
JUDICIAL NOTICE IN SUPPORT  
OF AMENDED MOTION FOR  
JUDGMENT ON THE PLEADINGS  
[FRCP 12(c)]**

) **[FILED CONCURRENTLY WITH  
NOTICE OF MOTION AND  
MOTION; DECLARATION OF  
RODOLFO AGUADO III;  
PROPOSED ORDER]**

) Date: May 12, 2025  
) Time: 10:00 a.m.  
) Ctrm: 8D

) Complaint Filed: November 5, 2024  
) Trial Date: April 7, 2026

1 Defendants City of Burbank, Manuel Maldonado, Rashaad Coleman, Neil  
2 Gunn, David Mejia, and Sam Anderson (collectively “Defendants”) hereby  
3 requests that the Court take judicial notice of the following:

- 4 1. The Felony Complaint filed on September 14, 2023 in *The People of*  
5 *the State of California v. Luring Tygresaul Paialii*, Case No.  
6 GA115256 (Superior Court of the State of California for the County  
7 of Los Angeles). A true and correct copy of this document is attached  
8 hereto as **Exhibit 1**.
- 9 2. The Minute Order filed on February 7, 2024 in *The People of the State*  
10 *of California v. Luring Tygresaul Paialii*, Case No. GA115256  
11 (Superior Court of the State of California for the County of Los  
12 Angeles). A true and correct copy of this document is attached hereto  
13 as **Exhibit 2**.
- 14 3. The Misdemeanor Advisement of Rights, Waiver and Plea Form filed  
15 on February 7, 2024 in *The People of the State of California v. Luring*  
16 *Tygresaul Paialii*, Case No. GA115256 (Superior Court of the State of  
17 California for the County of Los Angeles). A true and correct copy of  
18 this document is attached hereto as **Exhibit 3**.

19 Pursuant to Federal Rule of Evidence 201, a court “may take judicial notice  
20 of “matters of public record” without converting a motion challenging the  
21 pleadings into a motion for summary judgment, if the facts noticed are not “subject  
22 to reasonable dispute.” *Intri-Plex Techs., Inc. v. Crest Group, Inc.*, 499 F.3d 1048,  
23 1052 (9th Cir. 2007); *see also Reyn’s Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d  
24 741, 746 (9th Cir. 2006) (court filings and other matters of public record are  
25 judicially noticeable); *Heliotrope Gen., Inc. v. Ford Motor Co.*, 189 F.3d 971, 981  
26 fn. 18 (9th Cir. 1999) (noting that when considering a motion for judgment on the  
27

1 pleadings, the court may consider facts contained in materials of which the court  
2 can take judicial notice).

3 The Court may take judicial notice of Exhibits 1-3 because they are court  
4 records filed within the Superior Court of the State of California for the County of  
5 Los Angeles. Accordingly, because the exhibits are court records filed within the  
6 Superior Court, they are not subject to reasonable dispute. *See Reyn's Pasta Bella*,  
7 442 F.3d at 746 fn. 6 (citing *Burbank-Glendale-Pasadena Airport Auth. v. City of*  
8 *Burbank*, 136 F.3d 1360, 1364 (9th Cir. 1998) for the proposition that courts may  
9 take judicial notice of court filings). Accordingly, the City respectfully requests  
10 that the Court take judicial notice of Exhibits 1-3, which are attached to this  
11 Request for Judicial Notice.

12  
13 DATED: April 10, 2025

14 Respectfully submitted,  
15 City Attorney's Office of the City of  
16 Burbank

17 By: 

18 Rodolfo Aguado III  
19 Senior Assistant City Attorney  
20 Attorney for Defendants  
21 CITY OF BURBANK, MANUEL  
22 MALDONADO, RASHAAD  
23 COLEMAN, NEIL GUNN, DAVID  
24 MEJIA, and SAM ANDERSON  
25  
26  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of April, 2025, my office electronically transmitted the foregoing document to the Clerk's office using the Court's CM/ECF System and thereby served all counsel of record in this matter.

By: /s/ Rodolfo Aguado III  
Rodolfo Aguado III